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JUL 08 2009

OFFICE OF PETITIONS

In re Application of :
Sinclair et al. :
Application No. 10/553,621 : DECISION ON PETITION
Filed: October 17, 2005 : PURSUANT TO
Attorney Docket No.: : 37 C.F.R. § 1.181(A)
ObjectDetect2 :
Title: OBJECT DETECTION SYSTEM :
:

This is a decision on the petition pursuant to 37 C.F.R. § 1.137(b), to revive the above-identified application, filed on April 6, 2009.

This petition is **DISMISSED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed May 11, 2007, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were requested. Accordingly, the above-identified application became abandoned on August 12, 2007. A notice of abandonment was mailed on December 27, 2007.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may

require additional information where there is a question whether the delay was unintentional, and;

(2) Any terminal disclaimer (and fee as set forth in 37 C.F.R § 1.20(d)) required pursuant to paragraph (d) of this section.

37 C.F.R. § 10.18(a) sets forth, *in toto*:

For all documents filed in the Office in patent, trademark, and other non-patent matters, except for correspondence that is required to be signed by the applicant or party, each piece of correspondence filed by a practitioner in the Patent and Trademark Office must bear a signature, personally signed by such practitioner, in compliance with § 1.4(d)(1) of this chapter.

This petition has been submitted without a signature, and as such, the petition cannot be processed. For this reason, the petition must be dismissed.

Any reply must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. The reply should include a cover letter entitled "Renewed Petition pursuant to 37 C.F.R. § 1.137(b)". This is not a final agency action within the meaning of 5 U.S.C § 704.

Any subsequent filing pertaining to the abandonment of this application should indicate that the attorney handling this matter is Paul Shanoski, and may be submitted by mail,¹ hand-delivery,² or facsimile.³ Registered users of EFS-Web may alternatively submit a response to this decision via EFS-Web.⁴

If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.⁵ All other inquiries

¹ Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

² Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.

³ (571) 273-8300- please note this is a central facsimile number.

⁴ <https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>

⁵ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is

concerning examination procedures should be directed to the Technology Center.



Paul Shanoski
Senior Attorney
Office of Petitions

reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.